



VIOLENCE AGAINST MOTHERS

Contribution from the European Centre for Law and Justice (ECLJ)

The European Centre for Law and Justice (ECLJ), an international non-governmental organisation founded in 1998 and dedicated to promoting and protecting human rights in Europe and around the world, with special consultative status with the United Nations/ECOSOC since 2007, is honoured to present this contribution to the Special Rapporteur on violence against women and girls, its causes and consequences.

The ECLJ wishes to draw the Special Rapporteur's attention to the **situation of isolated and poor women facing motherhood, particularly during pregnancy**. It asks the Special Rapporteur to address, in her future report on "Violence against mothers", **the various pressures suffered by pregnant women who are coerced to give up motherhood (I), which constitute such violence (II)**.

This contribution follows a series of testimonies collected by the ECLJ in which women describe their experiences of abortion, the violence they suffered and the resulting suffering:¹ several say they wanted to keep the child but resigned themselves to having an abortion under pressure.

¹ See <https://eclj.org/abortion/french-institutions/elles-ont-avorte-et-temoignent> (French only); see also Grégor Puppink (ed.), *Law and Prevention of Abortion in Europe*, Sallux, 2019.

I. PREGNANT WOMEN COERCED, UNDER PRESSURE, TO GIVE UP MOTHERHOOD

Abortion is often seen by the general public as the choice of a woman who, not wishing to carry her pregnancy to term, terminates it without it being necessary to understand her reasons. However, without necessarily being forced to have an abortion,² many pregnant women are pushed into it by various constraints. A few years ago, the Guttmacher Institute reported that in the United States, 75% of women who had abortions did so because of social or economic constraints.³ The context in which the pregnancy occurs thus justifies the woman's decision to terminate it, even though she would often prefer to give birth to the child she is carrying. **Abortion is therefore more often endured than actually chosen: the same woman in more favourable circumstances would carry her pregnancy to term.**

Sociology demonstrates the social determinism of abortion: **the poorer and more isolated a pregnant woman is, the more likely she is to terminate her pregnancy.** In France, for example, single women are 37% more likely to have an abortion than women in a relationship; women in the poorest 10% are 40% more likely to have an abortion than women in the richest 10%, when comparing women of the same age and marital status.⁴

Various types of constraints can push a pregnant woman to give up motherhood. These mainly include:

- **Material pressures** linked in particular to precarious income, work and housing,⁵ cited as the primary reason for resorting to abortion. According to data published in January 2026, England and Wales recorded a record number of abortions “due to the cost of living”.⁶ Already in 2010, 47% of French women (58% of those aged 18-24) stated that “material circumstances” were “the main factor influencing a woman's decision to have an abortion”.⁷ Access to work for a single mother and balancing this work with raising a child are major obstacles to continuing with a pregnancy: despite the ban on discrimination, in times of unemployment, it remains difficult for a visibly pregnant woman to find a job, and pregnancy during a probationary period or fixed-term contract may result in the contract not being renewed. Employers or line managers may also make it clear to employees or job applicants that pregnancy would not be welcome.⁸
- **Affective and family pressures.** The nature of the relationship with **the father**, particularly when his support or presence is lacking, can lead a woman to consider

² See Part II.2-3.

³ <https://www.guttmacher.org/fact-sheet/induced-abortion-united-states>

⁴ DREES, Etudes & Résultats n° 1163, septembre 2020, “Interruptions volontaires de grossesse, une hausse confirmée en 2019” p. 7.

⁵ See ECLJ, [testimony of Françoise](#), who lives in a studio flat and sees no solution for raising the child.

⁶ Abortions at record high in England and Wales 'driven by cost of living', *The Guardian*, 15 January 2026.

⁷ See IFOP survey: <https://www.ifop.com/article/les-francaises-et-linterruption-volontaire-de-grossesse/>

⁸ For example, in 2014, Google and Facebook announced that they wanted to include part of the cost of egg freezing in their employees' medical coverage: this is a form of pressure, as it allows women to focus on their careers by postponing pregnancy for as long as possible.

terminating the pregnancy:⁹ it is not uncommon for him to pressure his partner to have an abortion by forcing her to choose between him and the child, or by declaring that he does not want the child.¹⁰ Paradoxically, men's irresponsibility is encouraged when they are not involved in the abortion process, or are even excluded from it. This removes responsibility from the father without protecting the woman from the pressure she may be under from him. **Parents**, concerned about their daughter's future, may also pressure or even coerce her to get rid of the baby.¹¹ This pressure may include threats to stop providing for the young woman or to kick her out of the home, as well as physical violence.

In addition, women who wish to keep the child or are unsure about what to do report that they have consulted organisations but regret not having been informed of alternatives or having been subjected to additional pressure to give up motherhood.¹²

II. FACTS CONSTITUTING “VIOLENCE AGAINST MOTHERS”

Since pregnant women must be considered mothers (1), **it is important for the Special Rapporteur to address the often overlooked violence of the constraints that may push them to terminate their pregnancies, especially when they are poor or isolated (3). The Special Rapporteur should also recall that States have committed themselves to preventing such violence (4).** In any case, forced abortion is a crime against humanity (2).

1. A pregnant woman is a mother

Motherhood refers both to the state and quality of being a mother, and to the act of carrying and giving birth to a child.¹³ It is therefore a state and a process that begins not at birth, but at the start of pregnancy, in the same way that human life is a continuum beginning at conception and progressing in stages until death.¹⁴ This is perfectly consistent with the fact that *“In international human rights law, a mother is defined as a woman, understood in its ordinary meaning to be a female of childbearing ability, who gives birth to a child”*.¹⁵ A pregnant woman is therefore a mother.

⁹ See IFOP survey: <https://www.ifop.com/article/les-francaises-et-linterruption-volontaire-de-grossesse/>: in 2010, for 13% of French women (in second place), their partner's opinion was “the main influence that pushes a woman to have an abortion”.

¹⁰ See ECLJ, [testimony of Noémie](#) (Pregnant before marriage, he told her: “Have an abortion or I'll leave you”), [that of Jeanne](#) (He literally told me: “Go and have an abortion!”), [that of Françoise](#) and [that of Amélie](#), to whom the father told: “If you keep it, I'm leaving”.

¹¹ See ECLJ, [testimony of Jeanne](#). See C. Moreau, et al., “Contraceptive Paths of Adolescent Women Undergoing an Abortion in France”, *Journal of Adolescent Health*, Vol. 50, No. 4, 2012, pp. 389-394.

¹² See ECLJ, [testimony of Emilie](#), [that of Amélie](#), who wants to keep the child but gives in to the father and is not offered any alternatives by the Family Planning, and [that of Françoise](#) (“The Family Planning immediately proposed an abortion”) who wants to keep the child but gives in after an appointment where the father, who asks her to have an abortion, is reinforced in his position.

¹³ According to *Le Robert* dictionary.

¹⁴ See Court of Justice of the European Union, *Oliver Brüstle v. Greenpeace e.V* C-34/10, 18.10.2011, §35.

¹⁵ See the call for input.

While various international texts require the protection of mothers even before birth¹⁶ and the Special Rapporteur mentions “*pregnant mothers*” among the “*Many mothers [who] face multiple and intersecting forms of vulnerabilities and, without access to adequate resources, become even more exposed to violence and exploitation*”,¹⁷ it is important that she address the “*violence against mothers*” that is the act of being prevented, under constraint, from giving birth to the child they are carrying.

2. Forced abortion is a crime against humanity

Forced abortion constitutes a crime against humanity according to the Nuremberg trials¹⁸ and European and international law requires its criminalisation. This is the case, for example, in the 1995 Beijing Conference Platform for Action,¹⁹ the 1998 Rome Statute of the International Criminal Court,²⁰ and the Istanbul Convention, which clearly condemn forced abortion and sterilization.²¹

In a case brought on behalf of women with mental disabilities who had been raped and subjected to abortion without their consent by their doctor in Moldova, the European Court of Human Rights ruled in 2022 that the facts of the case constituted a violation of Article 3 of the Convention,²² which prohibits torture or inhuman or degrading treatment, due to the failure to convict the doctor.

In another case, the Court also found a violation of Article 3 concerning an abortion performed in a public hospital, in violation of medical standards and against the will of a vulnerable young adult, who had been violently coerced by her father.²³ For the Court, “*such a forced abortion undergone in these circumstances was contrary to the applicant’s human dignity. It was an egregious form of inhuman and degrading treatment which not only resulted in a serious immediate damage to her health – that is the loss of her unborn child – but also entailed long-lasting negative physical and psychological effects (...). Accordingly, there has been a violation by the respondent State of the substantive head of Article 3*” (§§81-82).

¹⁶ International Covenant on Economic, Social and Cultural Rights, Art. 10.2; European Social Charter, Art. 8; Protocol on Economic, Social and Cultural Rights to the American Convention, Art. 15.3.a.

¹⁷ See call for input.

¹⁸ George J. Annas and Michael A. Grodin, *The Nazi Doctors and the Nuremberg Code- Human Rights in Human Experimentation*, Oxford University Press, Oxford, 1992.

¹⁹ Beijing Platform for Action, Fourth World Conference on Women, 4-15 September 1995, §115.

²⁰ Rome Statute of the International Criminal Court, A/CONF.183/9, 17 July 1998. Article 7(g) provides that rape, enforced pregnancy and enforced sterilisation constitute crimes against humanity “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack”.

²¹ Council of Europe Convention on preventing and combating violence against women and domestic violence, Istanbul, 11 May 2011, Article 39.

²² *G.M. and Others v. Republic of Moldova*, No. 44394/15, 22 November 2022.

²³ *S.F.K. v. Russia*, no. 5578/12, 11 October 2022.

Similarly, the Court held that the sterilisation of adults without their full and informed consent, in the absence of any immediate danger to their lives, constituted treatment contrary to Article 3 of the Convention.²⁴

3. Being coerced into having an abortion: a form of violence that is largely overlooked

It is often difficult to distinguish between forced and coerced abortion. Often, it is not necessary to “force” the mother to have an abortion; it is enough to exert pressure. However, such pressure is not generally punishable by law. Worse still, it is structurally ignored.

The mother’s formal “consent” is not enough to guarantee freedom. During the Nuremberg trials, Nazi doctors and agents defended themselves by arguing that the abortions they had performed on Polish and Slavic women were not forced, as the women had to sign a consent form for the abortion. However, this did not convince the judges. For the Nuremberg prosecutors, *“even assuming that the request [for abortion] was truly voluntary, it constitutes a crime under Article 218 of the German Criminal Code. It constitutes both a war crime and a crime against humanity”*.²⁵ Several Nazi officials were thus convicted of crimes of abortion and forced abortion.²⁶

More generally, a pregnant woman coerced into having an abortion under material, affective or family pressure suffers violence because of her status as a mother.²⁷ This violence affects the decision to give birth or not, and therefore lies at the heart of motherhood, and has the effect of terminating the pregnancy, i.e. killing the unborn child of whom she is the mother. It is therefore a form of “psychological, physical and reproductive violence” of “extreme” gravity.²⁸

Added to this violence of “renouncing motherhood” is that of the **potential consequences of an act** that ends a human life. It can be a painful and isolating experience, and it is not without risk to the woman’s physical and psychological health and her relational well-being, as well as to the couple: countless studies prove this,²⁹ as do the testimonies collected by the ECLJ.³⁰ According to a survey conducted in 2025, *“nearly 9 out of 10 French people (88%) consider that abortion leaves psychological scars that are difficult for women to live with”*.³¹

However, this violence is largely overlooked. Since abortion is recognised in most developed Western countries as a freedom or a “right”, it is treated as a commonplace choice that is part of a “right to control one’s own body”. This rhetoric leads to a denial of the suffering that may

²⁴ *V.C. v. Slovakia*, no. 18968/07, 8 November 2011, §§ 116-19; *N.B. v. Slovakia*, no. 29518/10, 12 June 2012, §§ 79-80 and *I.G. and Others v. Slovakia*, no. 15966/04, 13 November 2012, §§ 123-25.

²⁵ Closing Brief on Main Staff Office and Greifelt et al., Microfilm Publication M894, at Roll 31, Document Page 12, Frame 0178, cited by Jeffrey C. Tuomala, *Nuremberg and the Crime of Abortion*, p. 371.

²⁶ Jeffrey C. Tuomala, op. cit., pp. 283-394.

²⁷ See ECLJ, [testimony of Françoise](#), who states, “My hope of carrying my pregnancy to term was gone, and I was completely devastated.”

²⁸ See the call for input.

²⁹ Concerning these risks, which would take too long to explain here, see Cherline Louissaint, “Medical and Relational Effects of Abortion”, in Grégor Puppink (ed.), *Law and Prevention of Abortion in Europe*, op. cit.

³⁰ See <https://eclj.org/abortion/french-institutions/elles-ont-avorte-et-temoignent>

³¹ IFOP survey, [Les Français et l’interruption volontaire de grossesse \(IVG\)](#) [The French and voluntary termination of pregnancy], 5 March 2025.

be experienced by the woman concerned, even though resorting to abortion is often a sign of distress in her life. There is therefore a complete disconnect with the reality of abortion. Asserting, as an official truth, that abortion is an individual freedom only serves to eliminate the question of its real causes and ultimately leads to blaming the woman, since this violence would result solely from her own will, her own freedom. Both guilty and victim, she is alone in an inextricable psychological situation, facing violence that is largely generated, structurally, by society. When it comes to motherhood, pregnant women, especially when they are poor or isolated, represent a vulnerable group. For them, abortion is neither a freedom, nor a choice, nor a true “right”. It is therefore up to States to prevent such violence, to which they have committed themselves.

4. Violence that States have committed to preventing

In line with their commitment to protect motherhood, both before and after birth, States have also committed to preventing recourse to abortion. Thus, at the 1994 International Conference on Population and Development, known as the Cairo Conference, governments affirmed that “*every attempt should be made to eliminate the need for abortion*”: they committed to “[*reducing*] the recourse to abortion” (8.25) and to “[*taking*] **appropriate steps to help women avoid abortion**” (7.24). This commitment was renewed in 1995 at the Fourth World Conference on Women, whose Platform for Action states that it is a “*human right*” of women “*to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence*” (§96). The Council of Europe also invited European States to “*promote a more pro-family attitude in public information campaigns and provide counselling and practical support to help women where the reason for wanting an abortion is family or financial pressure*”.³²

With regard to the responsibility of fathers, at the Cairo Conference, States undertook to pay particular attention to the problem of “*ensuring (...) stronger legal enforcement of male parental financial responsibilities*” (§5.4). Similarly, the Beijing Conference Platform for Action states that “*Equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences*” (§96). On this basis, the Council of Europe has affirmed that “***no woman should be coerced by a man into having an abortion against her will***”³³ and called on governments to “*put into place special awareness-raising programmes to encourage men – especially young men – to take responsibility for their sexual behaviour*”.³⁴

On the basis of the duty to protect motherhood, an essential component of the special protection that women must enjoy in society, **it is therefore incumbent upon States to guarantee**

³² PACE, Resolution 1607(2008), Access to safe and legal abortion in Europe, 16.04.2008, §7.8.

³³ PACE, Report, The involvement of men, especially young men, in reproductive health, Doc. 10207, 10.06.2004, 10.

³⁴ PACE, Resolution 1394 (2004), The involvement of men, especially young men, in reproductive health, 7 September 2004, §6.1.

pregnant women the “right not to be coerced into having an abortion”. This is essentially the right of all women to be protected from violence generated by circumstances that largely condition them. This concrete right, which requires consideration of the factors that can lead to abortion, is certainly the primary right in matters of sexuality and procreation. To this end, it is important that strategies be developed, adopted and implemented by States. This amounts to putting abortion back where it belongs: in the human and concrete realm of social policy. Helping pregnant women to resist all pressures that would coerce them into having an abortion is a matter of respect for the status of women, particularly mothers.